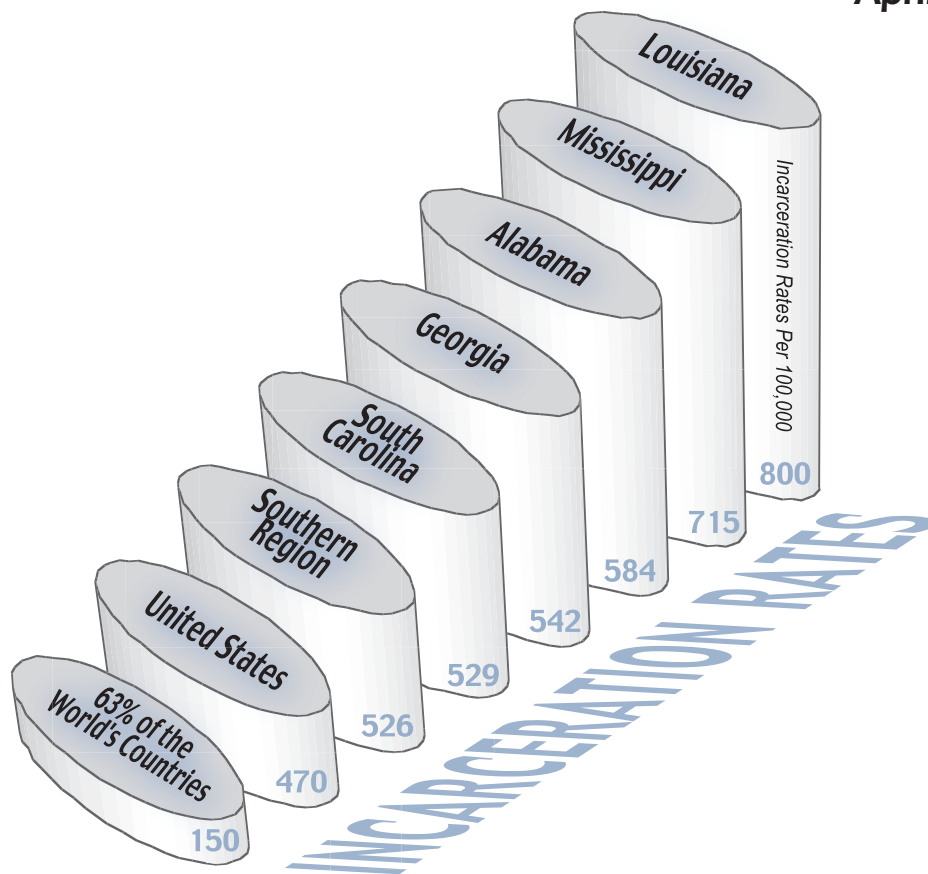


DEEP IMPACT

Quantifying the Effect of Prison Expansion in the South

New Orleans, Louisiana

April 4, 2003



About the Author

Jason Ziedenberg is the Assistant Director for Policy and Research of the *Justice Policy Institute*, a Washington DC-based think tank dedicated to ending society's reliance on incarceration and promoting effective and just solutions to social problems.

Acknowledgments

Deep Impact was authored by Jason Ziedenberg of the *Justice Policy Institute*. As this brief summarizes the work of various authors, we would like to acknowledge the research, editorial and review assistance of Patricia Allard of *The Sentencing Project*, Jenni Gainsborough of *Penal Reform International*, Judith Greene of *Justice Strategies*, Chistopher Uggen of the *University of Minnesota* and Bruce Western of *Princeton University*. We would also like to thank Rachel Herzing, Rose Braz and Jane Wholey of *Critical Resistance*, and Laura Jones and Deborah Clark of the *Justice Policy Institute* for their editorial and content guidance during the drafting of this report. This report was designed by Julie Laudenslager of *InHouseGraphics*, and was posted on the web by *Riseup.net*. The production of *Deep Impact* was funded by generous grants from the *Open Society Institute-Criminal Justice Initiative*, the *JEHT Foundation*, and the *Public Welfare Foundation*. The full report can be found at **www.justicepolicy.org**. The *Justice Policy Institute* is a project of the *Tides Center*.

Table of Contents

Preface	3
Introduction	4
Executive Summary	5
Significant Findings	8
The South's Incarcerated Population	8
The Economic Impact of Prison Expansion in the South	8
The Increasing Use of Incarceration has not been borne Equally	13
The "Collateral Consequence" of Prison: Felony Disenfranchisement	14
The Impact of Prison on Women, their families, and communities	17
The Impact of Prisons on the Crime Rates of the South	20
Conclusion	21
Endnotes	22

Preface from *Critical Resistance*

Today, 97,000 people live in Charleston, 362,000 in Miami, and 485,000 in New Orleans. But towering above these cities are the approximately 560,000 who live inside Southern prisons and jails in the 12-state region from Louisiana to Virginia.

While prisons have multiplied across the U.S., the results have been especially dramatic in the South. The South's history of slavery, convict leasing, and *Jim Crow* segregation set the context for the increased use of imprisonment and the especially brutal definition of justice delivered in the South. The South was an easy target for an expanding prison system, and it now leads the nation with the highest regional incarceration rate. Some Southern states have the highest incarceration rates in the world.

Until its abolition, slavery was used as a means to control those deemed undesirable by society—people of color and the Southern poor. With the abolition of slavery, the convict leasing system picked up where slavery left off, providing a new form of cheap labor and social control. Convict leasing along with the *Black Codes*—which criminalized everyday activities of African Americans—filled the gap left by slavery until they were struck down about 70 years ago.

Today, the prison industrial complex has arisen to fill the role played by slavery, convict leasing and the *Black Codes*. We understand the prison industrial

complex to be a multifaceted system, maintained through cooperation between government and industry that designates prisons as a solution to social, political, and economic problems. Like the systems of brutality that preceded it, today's prison industrial complex criminalizes a target population based on race and class, providing a means of social control of those deemed undesirable, and provides a source of cheap labor for the state. The prison industrial complex represents the answer to the problems created by slavery's historical legacies: social, economic and political problems, such as poverty, drug addiction, under education, racism, unemployment and dissent, bringing with it underfunded educational systems, lack of quality healthcare and inadequate affordable housing as its byproducts.

At *Critical Resistance South*, people across the Southern region will be discussing, debating, and formulating strategies to rid the South and the nation of the prison industrial complex, and talk about what a nation without 2 million prisoners might look like. To that end, this report depicts some of the “deep impacts” the prison industrial complex has on the social, economic and political life of the South. By exploring the scope of the problem, this report aims to help people consider what their communities would look like if the justice system were truly just, and were to break free of the history that led the South to lead the world in imprisonment.

Introduction

From 1980 to 2002, the number of people incarcerated in the nation's prisons, jails, juvenile facilities and detention centers quadrupled in size—from roughly 500,000 to 2.1 million people. The USA now has the largest penal system in the world. While the prison system looms large in and of itself, the true reach and impact of the growing corrections and criminal justice sector is immense, and its tentacles influence the social, economic and political life of all regions and sectors in the U.S. Along with America's 2.1 million people incarcerated, 2.2 million citizens are now employed in policing, corrections and courts, overshadowing the 1.7 million Americans employed in higher education, and the 600,000 employed in public welfare.¹ With 6.6 million people in prison and jail, or on probation and parole, there are now 8.8 million people either under the control of the correctional system or working in the criminal justice sector.² Even these figures underestimate the deep impact of criminalizing and imprisoning so many Americans throughout their lifetime: *University of Minnesota* professor Christopher Uggen recently estimated that there are at least 13 million Americans

currently incarcerated on a felony, or living with a felony conviction record in the United States—representing almost 7 percent of the adult population.³

In the past, the *Justice Policy Institute* (JPI) has been commissioned by legislators, government executives, foundations, the media and community groups to analyze correctional and criminal justice trends in states, counties and communities. The purpose of these reports has been to help individuals, and policymakers, consider more fair, effective and just policies. On the occasion of a regional conference called by *Critical Resistance* to examine the scope of the criminal justice systems' expansion and reach in the South,⁴ JPI has prepared a report that documents key statistical trends to quantify the depth of the impact of current policies in the Southern region.⁵ While no one report can document all the effects of the increased use of incarceration in a state or region, this report will show that growing use of prisons and jails in the South has had a deep impact on the region's social, political and economic life.

Executive Summary

Significant Findings for the South and Southern States

1. The South's incarcerated population is immense, both in national and international terms.

Prison and Jail Populations: The prison and jail populations of the South accounted for 4 out of 10 incarcerated people in the U.S. Between 1983 and 2001, the South accounted for 45% of all the people added to prison and jail in the 50 states and the District of Columbia. In 2001, the South's prison and jail populations represented 1 out of 11 prisoners in the World, and states like Alabama, Louisiana, Georgia, North Carolina, Tennessee, and Virginia have far more prison and jail inmates than countries like Canada and Argentina.

Incarceration Rates: The South as a region and most Southern states individually had significantly higher incarceration rates than the national average, and all Southern states had incarceration rates that were higher than 63% of the countries in the world. In 2001, the South's regional incarceration rate was 12% higher than the country as a whole. If places like Louisiana and Mississippi were countries, they would have the highest incarceration rates in the world. Between 1980 and 2001, Alabama, Georgia, Mississippi and South Carolina had incarceration rates above the national average, and Arkansas, Kentucky and West Virginia saw their incarceration rates rise at rates much higher than the national or regional average. West Virginia, which has the smallest prison population in the South saw its incarceration rate rise at a rate 10% greater than the U.S. average, and Mississippi saw its incarceration rate rise at a rate 86% greater than the U.S. average.

2. The economic impact of imprisonment in the South is large, particularly during times when states face fiscal shortfalls.

The increase in corrections spending looms large during the states' budget crisis. As states eliminate health care, welfare, education and, transportation expenditures and are simultaneously raising taxes to close their budget shortfall, the two decade growth in state corrections spending takes on a heightened significance. In some states, the increase in spending on corrections between 1985 and 2001 represents between 27% (North Carolina) to more than 90% (Georgia) of the fiscal shortfall these states were struggling to close earlier this year, when cuts to popular programs that build economic and social fabric of communities were contemplated. While rising corrections budgets are one of many things states are grappling with during their budget crises, and represents only one new area of growing state spending, the prison and jail capacity of the country represents large new annual costs that force communities to choose between funding libraries, schools, vital public services, or cellblocks. To bring their budgets into balance, some state policymakers are rethinking the costly sentencing and parole policies that have contributed to increasing prison populations.

State employment growth in criminal justice outpaces other public sectors. State employment in policing and corrections has grown at higher rates than employment in higher education or public welfare (which includes employment in state facilities for the elderly, disabled, veterans or the poor). In Tennessee, employment in policing and corrections grew at 3.9 times the rate of higher education, and 7.8 times the rate of the public welfare sector. Similar trends were found in states throughout the South. In 2000, 27.3% state public sector workers in Florida worked in the justice system (corrections, police, and judicial)—the highest proportion in the country.

3. The increasing use of incarceration in the South has not been borne equally.

African Americans and Latinos are subject to higher incarceration rates than Whites. As is the case nationally, the impact of the region's increasing reliance on incarceration has been concentrated on minority racial and ethnic communities. In every Southern state, African Americans were incarcerated at least at 4 times the rate of Whites. In West Virginia, African Americans were incarcerated at 17 times the rate of Whites. Even though the criminal justice system distorts and masks much of the disparity in the use of incarceration for Latinos and other ethnicities by counting them as White, with the exception of Maryland and Delaware, every Southern state incarcerated Latinos at a higher rate than Whites. In states with relatively small Latino populations, like Mississippi, they were incarcerated at nearly 9 times the rate of Whites.

4. Among several collateral consequences facing former prisoners, significant numbers of Southerners have lost the right to vote due to their imprisonment, and the impact of felony disenfranchisement has had a larger impact on African Americans.

Former prisoners are often punished for life through a variety of consequences of imprisonment that affect the 13 million people who have felony convictions in this country. Depending on the state or jurisdiction, ex-prisoners and people with felony convictions are currently subject to bans on receiving public assistance, public housing and college financial aid. In many states, former prisoners are also prohibited from accepting a wide spectrum of public sector jobs. Felony disenfranchisement, where people convicted and imprisoned for felony offenses lose their right to vote while under criminal justice control (and in some cases, long after their sentence has ended) is emblematic of the various collateral consequences researchers are only now beginning to quantify.

Large proportions of Southerners have lost some voting rights. In 48 of the 50 states, people in prison or jail, or under criminal justice control for a felony—including, in most cases, those people on probation and parole—are barred from voting. While ballot restrictions for people in prison and ex-prisoners are specific to each state, as of December 2000, Alabama, Florida, Kentucky, Mississippi, Tennessee and Virginia permanently bar ex-prisoners convicted of felony offenses from voting, unless reinstated by a clemency procedure. In Florida, seven percent of voting age residents were subject to some form of felony disenfranchisement in 2000. In Alabama, Mississippi and Virginia, more than five percent of voting age residents have lost some of their voting rights. In Kentucky, nearly 1 out of 5 voting age African Americans faced some form of electoral disenfranchisement, and in Georgia, Alabama, Mississippi, Florida and Virginia, more than 10% of voting age African Americans had lost some voting rights.

5. The rate of growth in women's imprisonment in the South has exceeded that of men throughout the 1990s. The economic and social impact of women's imprisonment is disproportionately large.

The rate of women's imprisonment in the U.S., and throughout the South, has grown at a rate far higher than the increase for men. In 2001, the South had the highest regional incarceration rate for women in the country—17% higher than the national average (68 per 100,000 in the South, 58 per 100,000 in the U.S.). While women were incarcerated at higher rates than men around the country, the increase in imprisonment of women in the South was 40% higher than the national average (South, 155% , to 111% U.S.). Other than Florida, every state in the South increased imprisonment of women at a faster rate than men—and in some cases, markedly faster. Women were added to prisons at double the rate of men in Kentucky, Louisiana, Mississippi, Tennessee and West Virginia.

Recent studies on the fiscal impact of women's imprisonment underscore the reality that exists across the rest of the nation, and the South: While the economic impact of her crime is typically small, the economic impact of the prison term typically meted out to a woman is huge. When a woman is imprisoned, communities face a fiscal multiplier effect of that consequence, including the increased cost of incarcerating women over men, and the large community impact of their children's displacement—including costs to the child welfare system.

The Lifetime Drug Felony Welfare Ban

As part of the *1996 Welfare Reform Act*, women convicted of a state or federal felony offense for possessing or selling drugs are subject to a lifetime ban on receiving cash assistance and food stamps. Of the Southern states in which data was available, only Tennessee, Florida and Arkansas have amended the ban, and in the rest of the Southern states, women affected by the ban in the late 1990s were still subject to the complete ban on receiving assistance.

A study by *The Sentencing Project* notes several key impacts of the drug felony welfare ban which highlight the economic and social “multiplier effect” of women's imprisonment, including the impact on the ability of women to become self-sufficient to provide for their children; to be active participants in their communities; higher incidences of family dissolution and increased child welfare caseloads. *The Sentencing Project* estimates that, while nationwide, at least 92,000 women were impacted by the ban, 135,000 children had been affected by the ban in the late 1990s. The lifetime welfare ban has a disproportionate impact on African American and Latino women and families: In Alabama, Mississippi, Tennessee, Georgia and Virginia (states where the majority of women in the general population are White), the majority or nearly half of women who were impacted by the ban were African American or Latina.

6. The expanding use of incarceration does not directly correlate with crime rate declines, both nationally and in the South.

In the South, there was no relationship between states that made a more zealous use of prisons throughout the 1990s (when most states experienced declining crime rates), and larger declines in crime. West Virginia had one of the largest increases in its incarceration rate during the 1990s, and saw an increase in the state's violent crime rate. On the other end of the spectrum, states like Florida, Arkansas and Virginia had much more modest increases in their incarceration rates, and experienced larger drops in crime than West Virginia, as well as Mississippi and Louisiana. Alabama's violent crime rate dropped 77% more than Georgia, even though Georgia's incarceration rate rose at a rate 47% higher than Alabama's incarceration rate. A comparison of the Southern states to New York and Massachusetts reveals an even starker contrast: The two Northern states experienced larger crime drops with much more modest increases in incarceration than most of the states in the South.

Significant Findings

1.The size of the South’s incarcerated population looms over the country and the world.

As **Figure 1** shows, the South accounts for 4 out of 10 incarcerated people in the U.S. Between 1983 and 2001, the South accounted for 45% of all the people added to U.S prisons and jails in the states. In 2001, the South’s prison and jail populations represented 1 out of 11 prisoners in the world. States like Alabama, Louisiana, Georgia, North Carolina, Tennessee and Virginia have far more prison and jail inmates than countries like Canada and Argentina. Japan, a country with 24 million more residents than the South, has a fraction of the regions’ incarcerated population. Between 1983 and 2001, most states more than doubled, and some (Georgia, Mississippi and Virginia) tripled their prison and jail populations.

Figure 2 represents only the prison populations of the South and Southern states, as rates per 100,000 people. In 2001, the South as a region and many Southern states had significantly higher incarceration rates than the national average, and all Southern states had incarceration rates that were higher than 63% of the countries in the world. In 2001, the South’s regional incarceration rate was 12% higher than the country as a whole. If places like Louisiana and Mississippi were countries, they would have the highest incarceration rates in the world. Alabama, Georgia, Mississippi and South Carolina have incarceration rates above the national average, and Arkansas, Kentucky and West Virginia have seen their incarceration rates rise at rates much higher than the national or regional average. For example, West Virginia, which has the smallest prison population of any state in the South saw its incarceration rate rise at a rate 10% greater than the U.S. average, and Mississippi saw its incarceration rate rise at a rate 86% greater than the U.S. average.

2.The economic impact of prison expansion in the South is large, particularly during times when states face fiscal shortfalls.

From 1977 to 1999, total state and local expenditures on corrections rose by 946%—2.5 times the rate of increase of spending on all levels of education, and double the average increase for all state and local functions.⁶ With total government expenditures on criminal justice reaching \$147 billion in 1999 (\$49 billion of which was on corrections), no consideration of the public policy directions that have characterized the American economic model is complete without assessing the growth and impact of the prison system.⁷

Virtually every state in the country is grappling with the worst fiscal crisis facing state budgets since World War II. Some states legislators were cutting the number of public school days, limiting health coverage to millions of Americans, and laying off government workers.⁸ There are a variety of explanations for the poor fiscal health of the states, including inequities in the tax system stemming from tax cuts, declining revenue due to the poor economic times and the declining stock market, and rising new cost centers, particularly, Medicaid and health care.

As prison and jail populations have grown throughout the 1980s and 1990s, corrections expenditures have come to represent larger portions of state and local spending. In 2000, the National Association of State Budget Officers reported that 1 in 14 dollars spent by states was spent on corrections. As states eliminate health care, welfare, education, and transportation projects and many are at the same time raising taxes to close their budget shortfalls, the growth in state corrections spending takes on a heightened significance.

Figure 3 contextualizes the increase in spending on corrections during the 1980s and 1990s with the fiscal woes facing states in the South (as of January, 2003). The increase in spending on corrections between 1985 and 2001 represents between 25% to more than 90% of the fiscal shortfall these states were struggling to close earlier this year, when cuts to popular programs that build the

FIGURE 1: ESTIMATED CHANGE IN THE
U.S. INCARCERATED POPULATION, 1983 TO 2001

STATE OR JURISDICTION (POPULATION IN MILLIONS)	ESTIMATED PRISON AND JAIL POPULATION, 2001	PRISON AND JAIL INMATES, 1983	ESTIMATED GROWTH OF PRISON AND JAIL POPULATIONS
U.S. total (285)	1,962,200	642,897	1,319,303
Federal	149,900	26,331	123,569
State	1,812,400	616,566	1,195,834
STATES			
South (102)	801,800	269,522	532,278
Alabama (4.47)	36,300	14,105	22,195
Arkansas (2.7)	16,400	5,848	10,552
Delaware (.800)	6,800	1,579	5,221
D.C. (.574)	2,700	6,308	-3,608
Florida (16.4)	127,000	40,061	86,939
Georgia (8.4)	80,400	25,149	55,251
Kentucky (4.1)	22,300	8,484	13,816
Louisiana (4.5)	45,400	21,319	24,081
Maryland (5.4)	35,200	16,587	18,613
Mississippi (2.9)	24,600	7,979	16,621
North Carolina (8.2)	46,500	17,753	28,747
Oklahoma (3.5)	27,800	9,695	18,105
South Carolina (4.0)	31,000	11,766	19,234
Tennessee (5.7)	37,000	14,206	22,794
Texas (21.4)	203,800	50,483	153,317
Virginia (7.2)	52,500	15,574	36,926
West Virginia (1.8)	6,000	2,626	3,374
SELECT COUNTRIES			
Canada (30)	31,000		
Argentina (36)	38,000		
Japan (126)	56,000		
World Prison Population, 2001 (6200)	8.75 Million		

Source: *Probation and Parole in the United States* (2001) and *Total Number of Persons Under Local, State or Federal Correctional Supervision*, (2000), Bureau of Justice Statistics. Figures for 2001 are a Bureau of Justice Statistics estimate; International figures are from Walmsley, Roy. *World Prisoner Population List, 2001*. (2002) London, UK: Home Office, Research, Development and Statistical Directorate. State and national populations are from, "Annual Population Estimates By State," U.S. Census Bureau. Note, the 1.96 million people in prison and jail do not include youth in juvenile facilities, INS detainees and others who are incarcerated in the U.S., which would add up to 2.1 million people incarcerated in the U.S. As D.C. prisoners were incorporated into the federal prison system in 2001, this accounts for much of the decline in prisoners over this time period.

FIGURE 2: INCARCERATIONS RATES,
1980 AND 2001 (STATES AND REGIONS)

STATES OR JURISDICTIONS	1980	2001	PERCENT CHANGE 1980-2001
United States	139	470	238%
Northeast	87	304	249%
Midwest	109	370	239%
West	105	408	289%
South	188	526	180%
STATES			
Alabama	149	584	292%
Arkansas	128	447	249%
Delaware	183	504	175%
D.C.	426	N/A	N/A
Florida	208	437	110%
Georgia	219	542	147%
Kentucky	99	371	275%
Louisiana	211	800	279%
Maryland	183	422	131%
Mississippi	132	715	442%
North Carolina	244	335	37%
Oklahoma	151	658	336%
South Carolina	238	529	122%
Tennessee	153	411	169%
Texas	210	711	239%
Virginia	161	431	168%
West Virginia	64	231	261%
63% of the World's Countries		<150	

Source: *Sourcebook of Criminal Justice Statistics*, 2002 (Table 6.24) and Walmsley, Roy. *World Prisoner Population List, 2001*. (2002) London, UK: Home Office, Research, Development and Statistical Directorate. *Note, incarceration rate includes only prisoners, not jail inmates or people incarcerated in other forms of locked facilities.

economic and social fabric of communities were contemplated. Again, while rising corrections budgets are one of many things states are grappling with during the state budget crisis, corrections was one of the fastest growing budget items in many states in the 1990s, and the new prison and jail capacity of the country represents large annual costs that force communities to choose between funding classrooms, libraries, health care and cellblocks.

In his endorsement of sentencing reforms to reduce correctional spending, Mississippi Correctional Commissioner Chris Epps recently said, “if we lowered our prison population, we could reduce our staffing, which is your greatest cost.”⁹ As states spent more and more public dollars on prisons to incarcerate people, and more on policing to enable states to fill these prisons and jails, correctional and policing employment grew at rates which dwarfed other categories of state employment.

As **Figure 4** shows, state employment in policing and corrections has grown at higher rates than employment in higher education or public welfare (which includes employment in state facilities for the elderly, disabled, veterans or poor people), and this was generally true for most states in the South. Princeton academics Bruce Western and Josh Guetzkow argue that the fact that police and correctional employment has outpaced other governing functions is evidence of a shift of public resources from transfers to individuals and communities, to “social control functions, monitoring, enforcing regulations, and incarceration of offenders.”¹⁰

The Bureau of Justice Statistics reported that Florida had the second¹¹ highest proportion of its public payroll working in justice (including corrections, police, judicial and court staff). In 2000, 16.7% of Florida’s public sector payroll (including the state, cities and counties) worked in the justice system (the national average was 12.9%), and 27.3% of the people on the state payroll worked in the justice system.¹²

To bring their budgets into balance, some state policymakers are rethinking the costly sentencing and parole policies that have contributed to increasing prison populations. While some of these measures, like cuts to prison health care and vocational programs will likely compound already high recidivism rates, there have been some noteworthy reforms in the South:

- Lacking funds to open some 900 newly-constructed prison beds, the *Arkansas Board of Correction* invoked emergency powers to grant release to 521 prisoners in November 2002 to reduce prison crowding.¹³
- In 2001, Louisiana’s legislators repealed mandatory minimum sentences for simple drug possession and similar offenses, while cutting minimum sentences for drug trafficking in half. The possibility of parole, probation, or suspension of sentence was restored for a wide range of offenses—from prostitution to burglary of a pharmacy. The bill allowed for already-sentenced prisoners to apply for an early release recommendation from a “risk review panel.” If recommended, their case is sent to the parole board for consideration.¹⁴
- In Mississippi, legislators reduced some mandatory minimum sentences, which resulted in the release of 885 prisoners since July of 2001. The state has saved nearly \$12 million in spending on corrections during that period, and of those released from prison, less than 7% have been re-arrested—a rate far lower than national average recidivism rates. According to Mississippi House Penitentiary Committee Chairman Bennett Malone, “We don’t have enough money to house the number of inmates we have, and the only way to get a handle on it is to lower the number of offenders in prison.”¹⁵

FIGURE 3: CORRECTIONS SPENDING GROWTH,
AS A PERCENTAGE OF STATE BUDGET SHORTFALLS

STATES	CHANGE IN ANNUAL SPENDING ON CORRECTIONS (IN MILLIONS) 1985-2001	ESTIMATED STATE BUDGET SHORTFALL (IN MILLIONS) FOR FY 2004 (JANUARY 2003)	CORRECTIONAL SPENDING GROWTH AS A PERCENTAGE OF STATE BUDGET SHORTFALL
Alabama	163	500	33%
Arkansas	136	223	61%
Delaware	135	300	45%
Florida	1146	2000	57%
Georgia*	890	900	99%
Kentucky	296	360	82%
Louisiana	104	N/A	
Maryland	300	1200	25%
Mississippi*	163	400	41%
North Carolina*	540	2000	27%
South Carolina	325	700	46%
Oklahoma	232	593	39%
Tennessee	212	500	42%
Texas	2620	10000	26%
Virginia	554	1116	50%
West Virginia*	66	250	27%

Source: Corrections spending from *State Expenditure Reports, 2001; 1985 (2002; 1986)*, The National Association of State Budget Officers, and State Budget Shortfalls from the Center on Budget and Policy Priorities (*"State Budget Deficits,"* January 2003), and news articles. *Note, for Georgia, Mississippi, North Carolina and West Virginia, 1986 was used as the baseline year for corrections spending change, as figures for 1985 were unavailable from NASBO for these states. Baseline years were adjusted for inflation to compare with 2001 spending.

FIGURE 4: CHANGE IN STATE EMPLOYMENT,
1980-2000 (FULL-TIME EQUIVALENTS)

STATE	ALL STATE FUNCTIONS	POLICE AND CORRECTIONS	HIGHER EDUCATION	PUBLIC WELFARE
Alabama	318%	462%	58%	30%
Arkansas	286%	587%	124%	5%
Delaware	188%	200%	58%	171%
Florida	631%	650%	543%	227%
Georgia	445%	586%	172%	98%
Kentucky	287%	320%	133%	54%
Louisiana	244%	413%	93%	44%
Maryland	235%	312%	105%	62%
Mississippi	371%	615%	103%	35%
North Carolina	421%	344%	176%	1800%
South Carolina	282%	454%	83%	14%
Tennessee	376%	493%	124%	63%
Texas	597%	1618%	217%	91%
Virginia	312%	379%	105%	973%
West Virginia	134%	233%	73%	-97%

Source: Change in Full-Time equivalent employment from Western, Bruce and Guetzkow, Josh. (August 2002) *Punitive Policy and Neoliberalism in the U.S. Labor Market*. Presented at annual meeting of the American Sociological Association. Princeton, New Jersey: Princeton University.

While time will tell whether more elected officials will reduce prison populations as a response to the budget crisis, these changes show that even the nation's leading incarceration states are reconsidering the policies that have contributed to the South leading the world in imprisonment.

3. The increasing use of incarceration in the South has not been borne equally.

As is the case nationally, the impact of the country's increasing reliance on incarceration has been concentrated in minority¹⁶ racial and ethnic

communities. The *Bureau of Justice Statistics* reported that an African American man born in the 1990s has a 1 in 4 chance of spending some time in prison during his lifetime.¹⁷ A study by the *National Center on Institutions and Alternatives* showed that between 1985 and 1997 (when more than a million new prisoners were added to state and federal prisons), 70% of prison growth came from the addition of new African American and Latino prisoners.¹⁸ Even in states with very small populations of Native Americans, surveys have found that their incarceration rates are much higher than the White incarceration rates.¹⁹

FIGURE 5: RATES OF INCARCERATION PER 100,000
STATE RESIDENTS, BY RACE AND ETHNICITY

STATE OR JURISDICTION	WHITE	BLACK	HISPANIC	RATIO BLACK/WHITE	RATIO HISPANIC/WHITE
Alabama	373	1,797	914	4.8	2.4
Arkansas	468	2,185	1,708	4.7	3.6
Delaware	361	2,500	330	6.9	0.9
D.C.	46	768	260	16.5	5.6
Florida	502	2,877	684	5.7	1.4
Georgia	544	2,153	620	4	1.1
Kentucky	466	3,375	2,059	7.2	4.4
Louisiana	421	2,475	1,736	5.9	4.1
Maryland	282	1,749	230	6.2	0.8
Mississippi	353	1,762	3,131	5	8.9
North Carolina	266	1,640	440	6.2	1.7
Oklahoma	682	4,077	1,223	6	1.8
South Carolina	391	1,979	871	5.1	2.2
Tennessee	402	2,021	790	5	2
Texas	694	3,734	1,152	5.4	1.7
Virginia	444	2,842	508	6.4	1.1
West Virginia	375	6,400	2,834	17.1	7.6
National	378	2,489	922	6.6	2.4

Source: *Human Rights Watch* (2002), Table 1, available at www.hrw.org/backgrounders/usa/race. Note: Figures calculated on the basis of U.S. Census Bureau data from Census 2000 on state residents and incarcerated populations. Confinement facilities include prisons, federal detention centers, military disciplinary barracks and jails, police lockups, halfway-houses used for correctional purposes, local jails, work farms, and others. See Endnote 18 in regards to the use of the term *Hispanic* and *Latino*.

While African Americans and Latinos are 25 percent of the national population, they represent 63 percent of the people incarcerated in the country. With the exception of Kentucky, Oklahoma and West Virginia, in every other Southern state, ethnic and racial minorities comprise the majority of prisoners, but those proportions blur the concentrated impact of prison on certain communities in the South.

Figure 5 is a table representing the findings of a Human Rights Watch study, which translated the documented disparity in the use of incarceration into incarceration rates for Latinos and African Americans.

In every Southern state, African Americans were incarcerated at least at 4 times the rate of Whites. For example, in West Virginia, African Americans were incarcerated at 17 times the rate of Whites. Even though the criminal justice system distorts and masks much of the disparity in the use of incarceration for Latinos and other ethnicities by counting them as White, with the exception of Maryland and Delaware, every Southern state incarcerated Latinos at higher rate than Whites. In states with relatively small Latino populations, like Mississippi, they were incarcerated at a rate nearly 9 times greater than that of Whites.

FIGURE 6: PERCENT OF ALL VOTING AGE RESIDENTS AND AFRICAN AMERICAN RESIDENTS DISENFRANCHISED: STATES IN THE SOUTH (RANKED)

STATE	PERCENT DISENFRANCHISED	PERCENT OF AFRICAN AMERICANS DISENFRANCHISED	
Florida	7.03%	Kentucky	17.37%
Alabama	6.38%	Virginia	16.08%
Virginia	5.90%	Florida	16.02%
Mississippi	5.86%	Delaware	13.97%
Delaware	5.16%	Alabama	13.94%
Kentucky	4.93%	Mississippi	11.27%
Georgia	4.86%	Georgia	10.25%
Maryland	3.56%	Texas	9.16%
Texas	3.54%	Oklahoma	8.26%
Arkansas	2.61%	Maryland	8.06%
US Total	2.28%	Arkansas	7.86%
Tennessee	2.16%	U.S. Total	7.48%
Oklahoma	2.06%	Tennessee	6.58%
D.C.	1.85%	South Carolina	4.01%
South Carolina	1.75%	North Carolina	3.49%
North Carolina	1.22%	D.C.	3.27%
Louisiana	1.16%	Louisiana	3.00%
West Virginia	0.63%	West Virginia	2.64%

Source: Uggen, Christopher and Manza, Jeff. "Democratic Contraction: Political Consequences of Felon Disenfranchisement in the United States." (December 2002). *American Sociological Review*.

4. Among several "collateral consequences" facing former prisoners, significant numbers of Southerners have lost the right to vote due to their imprisonment and the impact of felony disenfranchisement has had a larger impact on African Americans.

Former prisoners are often punished for life through a variety of consequences that affects the 13 million people who have felony convictions in this country.²⁰ Depending on the state or jurisdiction, ex-prisoners and people once convicted of a felony can be subjected to bans on receiving public assistance, and the ability to live in public housing. They are prohibited from receiving financial aid for college, and

in many states, are prohibited from working in a wide spectrum of public sector jobs.²¹ These "collateral consequences" are tacked on top of barriers that prevent ex-prisoners from successfully returning to the economic and social life of their communities. Some of these barriers include difficulties regaining employment, reconnecting with families and communities, and the cultural stigma attached to a criminal conviction.

Felony disenfranchisement, where people under criminal justice control for a felony offense (or people who once were convicted of a felony offense and have completed their sentence) lose their right to

vote, is emblematic of the various collateral consequences that researchers and advocates are only now beginning to quantify as the extended impact of the nation's prison expansion. Forty-eight of the 50 states bar people under criminal justice control for a felony offense—including, in most cases, those people on probation and parole—from voting.

While ballot restrictions for people in prison and ex-prisoners are specific to each state, in December, 2000, Alabama, Florida, Kentucky, Mississippi, Tennessee and Virginia permanently barred ex-prisoners convicted of felony offenses from voting, unless reinstated by a clemency procedure. As [Figure 6](#) shows, researchers from the University of Minnesota estimate that in Florida seven percent of voting age residents were subject to some form of felony disenfranchisement in 2000. In Alabama, Mississippi and Virginia, more than five percent of voting age residents have lost some of their voting rights.

Like other impacts of incarceration, the effects of felony disenfranchisement are concentrated in the communities most affected by the expansion of prisons. In Kentucky, nearly 1 out of 5 voting age African Americans faced some form of electoral disenfranchisement, and in Georgia, Alabama, Mississippi, Florida and Virginia, more than 10 % of voting age African Americans had lost some voting rights. These represent thousands of people who cannot vote, which potentially could have significant impacts on election outcomes throughout the South.

It is worthwhile to note that some state legislatures are reconsidering the issue of felony disenfranchisement and voting rights. In Alabama and Florida, members of their respective legislatures have considered bills to restore ex-prisoners' voting rights.²²

5. The rate of women's imprisonment in the South has exceeded that of men throughout the 1990s. The economic and social impact of women's imprisonment is disproportionately large.²³

Since men represent more than 93% of the country's prisoners, the discussion of the impact of rising incarceration rates has often centered on men. But as [Figure 7](#) shows, the rate of women's imprisonment in the U.S. and throughout the South has grown at rates far higher than the increase for men. In 2001, the South had the highest regional incarceration rate for women in the country—17% higher than the national average (68 per 100,000 in the South, 58 per 100,000 in the U.S).²⁴ While women were incarcerated at higher rates than men around the country, the increase in imprisonment of women in the South was 40% higher than the national average (South, 155% , to 111% U.S.). Other than Florida, every state in the South increased imprisonment of women at a faster rate than men—and in some cases, markedly faster. Women were added to prisons at double the rate of men in Kentucky, Louisiana, Mississippi, Tennessee and West Virginia.

As researchers Meda-Chesney-Lind and Judith Greene recently summarized, *while the economic impact of her crime is typically small, the economic impact of the prison term typically meted out to a woman is huge.*

While more than half of *all* prisoners have minor children whose lives may be affected by the incarceration of a parent, women are far more likely than men to have been living with dependent children when they were arrested (64 percent, compared with 44 percent). Almost all prison fathers (90 percent) report that their children reside with their other parent while they are imprisoned—but just 28 percent of mothers report this to be the case. Most of women prisoners' children are displaced—living with extended family members or friends—while they are incarcerated. At least 10% of the children of prisoners are placed in non-kin foster care.²⁵

FIGURE 7: WOMEN AND MEN IN PRISON IN 2001, AND CHANGE IN IMPRISONMENT FROM 1990 TO 2001, BY GENDER

STATE OR JURISDICTION	WOMEN IN PRISON PERCENT CHANGE 2001-1990	MEN IN PRISON PERCENT CHANGE 2001-1990
U.S. total	111%	80%
South	155%	94%
Alabama	87%	70%
Arkansas	82%	65%
Delaware	162%	98%
D.C.	-69%	-73%
Florida	61%	63%
Georgia	128%	104%
Kentucky	138%	67%
Louisiana	192%	88%
Maryland	38%	33%
Mississippi	307%	148%
North Carolina	113%	72%
Oklahoma	114%	83%
South Carolina	43%	30%
Tennessee	276%	122%
Texas	463%	213%
Virginia	142%	76%
West Virginia	355%	160%

Source: 2001 figures are from Table 3 and 8, *Prisoners in 2001* (2002), and 1990 figures are from *Correctional Populations in the United States*, Bureau of Justice Statistics (1991). As D.C. prisoners were incorporated into the federal prison system in 2001, this accounts for much of the decline in prisoners over this time period.

FIGURE 8: WOMEN AFFECTED BY THE LIFETIME DRUG FELONY WELFARE BAN, BY RACE AND ETHNICITY, 1996-1999

SELECT SOUTHERN STATES	WHITE	BLACK	HISPANIC	EXTENT OF THE BAN
Alabama	526	813		Complete
Arkansas	3991	1066		Partially
Delaware	102	211	10	Complete
Florida	278	207		Partially
Georgia	4320	4182	68	Complete
Mississippi	1054	1339	12	Complete
Tennessee	904	907		Contingent
Texas	1795	2283	622	Complete
Virginia	1313	2304	53	Complete
West Virginia	91	29	2	Complete

Source: Allard, Patricia. *Life Sentences: Denying Welfare Benefits To Women Convicted Of Drug Offenses* (2002). Washington, DC: The Sentencing Project. Extent of the Ban is updated through October 2002. See **Endnote** 18 in regards to the use of the term Hispanic and Latino.

Susan George, a principal researcher for a *University of Chicago* research project on women offenders estimates the cost of jailing and processing a woman prisoner from her arrest to her entry to prison totals \$31,000 in Illinois. George calculates that another \$20-25,000 is spent to keep her in prison for a year. The amortized capital cost of the prison bed she occupies adds another \$7,500. And since one in ten children of women prisoners is placed in foster care (estimated to cost \$25,000 per year) another \$2,500 is averaged in, for a total estimated average annual cost of \$65,000.²⁶

The Lifetime Drug Felony Welfare Ban

The “collateral consequences” facing ex-women prisoners have a compounded economic and social effect on the community. A recent report by *The Sentencing Project* quantified the impact of the lifetime drug felony welfare ban: as part of the *1996 Welfare Reform Act*, women convicted of a state or federal felony offense for possessing or selling drugs are subject to a lifetime ban on receiving cash

assistance and food stamps. (No other offenses result in losing benefits).

Due, in part, to the projected impact on women and their families, 31 states and the District of Columbia have eliminated or modified the lifetime ban, and the fact that states continue to modify or opt out of the ban reflects mounting recognition that a complete lifetime welfare ban is unsound public policy. Still, of the Southern states in which data was available, only Tennessee, Arkansas and Florida have amended the ban.²⁷ In the rest of the states summarized in **Figure 8**, those states follow the federal law, which means that if a person is convicted of possession, sales or distribution of drugs, that person is ineligible for welfare or food stamps for the rest of his or her life.

The Sentencing Project study notes several key impacts of the drug felony welfare ban which highlight the multiplier effect of women’s imprisonment. The loss of welfare benefits that occurs under the ban adversely affects the ability of women

to become self-sufficient to provide for their children and to be active participants in their communities. Like other “collateral consequences,” the ban may lead to higher incidences of family dissolution and further increase child welfare caseloads. *The Sentencing Project* estimates that, while nationwide, at least 92,000 women were impacted by the ban, 135,000 children had been affected by the ban in the late 1990s. Finally, the lifetime welfare ban has a disproportionate impact on African American and Latino women and families: In Alabama, Mississippi, Tennessee, Georgia and Virginia (states where the majority of residents are White), the majority or nearly half of women who were impacted by the ban were African American or Latina.

6. The expanding use of incarceration does not directly correlate with crime rate declines, both nationally and in the South.

Academics, politicians and community members are re-examining the choice of focusing so many resources on prisons and the criminal justice system as a means to reduce crime. In particular, the efficacy of incarceration as a crime control measure has come under scrutiny. In the last few years, the following critiques of the utilization of prison to reduce crime have been issued:

- A *University of Texas* researcher contends that 79 to 96 percent of the violent crime drop of the 1990’s cannot be explained by prison expansion. About 25 percent of the total drop in crime is due to prison expansion, and further prison expansion will have far less return in reducing crime.²⁸
- A *University of Missouri-St. Louis* researcher showed that about one-fourth of the drop in homicides nationally is attributable to incarceration. Changes in living arrangements among young adults and falling marriage rates were shown to be contributing factors to the drop in homicides.²⁹
- No correlation was found between increasing drug offense admissions to prison and lower drug use.³⁰

- Incarceration may drive up crime rates in places where a “tipping point” of more than 1 to 1.5 percent of a community is incarcerated.³¹

Given the impacts of prisons on the economy, communities and people’s lives, it is important to quantify whether the costs of incarceration are worth the benefit in terms of crime prevention. In 2000, *The Sentencing Project* showed that there were “diminished returns” to using prison as a way of reducing crime: throughout the nation, states with below average increases in incarceration experienced greater reductions in violent, property and total crime than states with above average increases in incarceration. These general findings held true in the South, as well.

As [Figure 9](#) shows, there was no relationship between states that made a more zealous use of prison throughout the 1990s (when most states experienced declining crime rates) and larger declines in crime. West Virginia, for example, had one of the largest increases in its incarceration rate during the 1990s, and saw an increase in the states’ violent crime rate. On the other end of the spectrum, states like Florida, Arkansas and Virginia had more modest increases in their incarceration rates and they also experienced much larger drops in crime than West Virginia, Mississippi and Louisiana. Alabama’s violent crime rate dropped 77% more than Georgia’s, even though Georgia’s incarceration rate rose at a rate 47% higher than Alabama’s incarceration rate. Comparing the Southern states to New York and Massachusetts reveals an even starker contrast: the two northern states experienced larger crime drops with much more modest increases in incarceration than most of the states in the South.

As the authors of the *Sentencing Project* study note, use of imprisonment is only one factor affecting the nation’s changing crime rates: Much of the explanation for the reduction in crime in the 1990s is due to economic expansion and changes in the drug trade. Whatever effect imprisonment has on the crime rate, that effect must be measured against the impact the use of incarceration has on people and communities throughout the nation and throughout the South.

FIGURE 9: CHANGES IN INCARCERATION AND CRIME RATES
IN THE SOUTH BY STATE 1991-1998 (RANKED)

STATE	CHANGE IN INCARCERATION RATE, 1991-98	CHANGE IN CRIME RATE, 1991-98		
		TOTAL	VIOLENT	PROPERTY
Texas	144%	-35%	-33%	-35%
West Virginia	131%	-4%	30%	-7%
Mississippi	74%	4%	6%	4%
Louisiana	59%	-5%	-18%	-3%
D.C.	57%	-18%	-30%	-14%
Oklahoma	50%	-12%	-8%	-12%
Georgia	47%	-16%	-22%	-15%
U.S. State Average	47%	-15%	-12%	-15%
Kentucky	45%	-14%	-35%	-11%
Tennessee	43%	-6%	-2%	-7%
North Carolina	33%	-10%	-12%	-9%
Alabama	32%	-14%	-39%	-10%
Arkansas	31%	-17%	-17%	-17%
Florida	30%	-19%	-21%	-19%
Virginia	28%	-21%	-13%	-21%
Delaware	25%	-9%	7%	11%
South Carolina	16%	-7%	-7%	-6%
SELECT STATES				
New York	24%	-43%	-45%	-42%
Massachusetts	21%	-35%	-16%	-39%

Source: Gainsborough, Jenni and Mauer, Marc. *Diminishing Returns: Crime and Incarceration in the 1990s*. (2000) Washington, DC: The Sentencing Project.

Conclusion

By localizing the impact of incarceration policies in the South, this report is intended to act as a porthole for those investigating the various kinds of “collateral consequences” and also the costs of imprisonment in the South—particularly in certain communities.

While the debate over prisons as a crime reduction strategy and institution of punishment is largely political, this report shows that these policies come with deep economic and social costs. As the people of the Southern states contemplate the political debate, this report shows that the varied costs of prison growth are not abstract, but are quantifiably devastating to communities, families and individuals.

Endnotes

- ¹ Western, Bruce, Guetzkow, Josh. (August, 2002). *Punitive Policy and Neoliberalism in the U.S. Labor Market*. A paper presented at the American Sociological Association, Chicago, Illinois.
- ² Feldman, Lisa; Schiraldi, Vincent and Jason Ziedenberg. (2001) *Too Little Too Late: President Clinton's Prison Legacy*. Washington DC: The Justice Policy Institute.
- ³ Fox Butterfield, "Freed From Prison, but Still Paying a Penalty," *The New York Times*, December 29th, 2002.
- ⁴ This report will be discussed at *Critical Resistance South*, a regional conference assessing the impact and alternatives to the growing use of prisons in the South.
- ⁵ Bureau of Justice Statistics, the agency of the Justice Department that has kept correctional statistics for the federal government since the 1970s defines "the South" as a region encompassing the following states: Alabama, Arkansas, Delaware, the District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia.
- ⁶ Gifford, Sidra Lea (February, 2002). *Justice Expenditure and Employment in the United States*, 1999. Washington, DC: Office of Justice Programs, Bureau of Justice Statistics.
- ⁷ Gifford, February, 2002.
- ⁸ Herbert, Bob. "States Of Alarm," *The New York Times*, December 29, 2002.
- ⁹ Harden, Clay. "Early Release Plan Would Reduce Number of Inmates, Cost." *The Clarion Ledger*, February 3, 2003.
- ¹⁰ Source: Change in Full-Time equivalent employment from Western, Bruce and Guetzkow, Josh. (August, 2002) *Punitive Policy and Neoliberalism in the U.S. Labor Market*. Presented at annual meeting of the American Sociological Association. Princeton, New Jersey: Princeton University.
- ¹¹ Nevada had the highest proportion of its public payroll working in justice, with 17.5%. However, the number of justice system employees in Florida (127,000 of 765,000 FTE) towers over the number of justice system employees in Nevada (14,000 of 83,000 FTE).
- ¹² Smith, Stephen (2002). *Table 5: Justice System Employment and Percent Distribution of Full-Time Equivalent Employment by State and Local Government*. Washington, DC: Office of Justice Programs, Bureau of Justice Statistics.
- ¹³ Moritz, Rob. "Board Invokes Emergency Act, Allows Early Release of Inmates." *Arkansas News Bureau*, November 27, 2002.
- ¹⁴ Greene, Judith and Vincent Schiraldi. (February, 2002). *Cutting Correctly: New Prison Policies for Times of Fiscal Crisis*. Washington, DC: The Justice Policy Institute.
- ¹⁵ Harden, Clay. "Early Release Plan Would Reduce Number of Inmates, Cost." *The Clarion Ledger*, February 3, 2003.
- ¹⁶ As this report draws on primary source materials from governments, the table headings reflect the way governments and the original researchers have defined racial or ethnic identities, including use of the term *Black* and *Hispanic*. For this purposes of this paper, *minority* refers to racial and ethnic identities which are less than the majority in the national context. In many counties, cities and some states in the U.S., people who are defined as *Latino* or racially and ethnically *Non-White* are the majority of citizens and people in those places.
- ¹⁷ Beck, Allen J. and Bonczar, Thomas P. (1997) *Lifetime Likelihood of Going to State or Federal Prison*. Washington, DC: Bureau of Justice Statistics.
- ¹⁸ Holman, Barry (2001) *Masking the Divide: How Officially Reported Prison Statistics Distort the Racial and Ethnic Realities of Prison Growth*. Washington, DC: National Center on Institutions and Alternatives; The United States government uses the term *Hispanic* to recognize individuals' common Spanish descent. The term refers, in part, to people with ties to nations where Spanish is the official language. The U.S. government and legal system historically have insisted on categorizing all Spanish-speaking people as *Hispanic* and treating them as a monolithic group, regardless of cultural differences. The term *Latino*, on the other hand, generally refers to people with ties to the nations of Latin America and the Caribbean, including some nations where Spanish is not spoken (e.g., Brazil). It also encompasses persons born in the United States whose families immigrated to this country from Latin America in the recent past, as well as those whose ancestors immigrated generations ago. Like the term *Hispanic*, the categorization *Latino* is a general one that does not recognize the diversity of ethnic subgroups (e.g., Puerto Rican, Dominican, Guatemalan, Peruvian, Mexican). This document will not resolve this definitional dispute. Throughout the text of this report we have elected to use the term *Latino* to describe people in this country who identify their racial/ethnic backgrounds in reference to Mexico, Central and South America, and the Caribbean, including people born or living in the United States. As this report draws on primary source materials from governments, the table headings reflect the way governments and the original researchers have defined racial or ethnic identities. For a more thorough discussion, see *Dónde está la justicia? A call to action on behalf of Latino and Latina youth in the U.S. justice system*. Washington, DC: Building Blocks for Youth, 2002 www.buildingblocksforyouth.org.

¹⁹ See “The Real Price of Prisons,” from MotherJones.com (www.motherjones.com/prisons/atlas.html), for incarceration rates for every state, including Americans defined as Latinos and Native Americans.

²⁰ Uggen, Christopher, Manza, Jeff and Thompson, Melissa. (2000). *Crime, Class and Reintegration: The Socioeconomic, Familial, and Civic Lives of Offenders*. November 18, 2000, American Society of Criminology Meeting, San Francisco.

²¹ For a more in-depth discussion of the consequences of incarceration on an ex-offenders life course, see *Collateral Damage: The Social Cost of Mass Incarceration*. (2002) ed. Chesney-Lind, Meda and Mauer, Marc. New York: Free Press.

²² Allard, Patricia and Mauer, Marc. *Regaining the Vote: An Assessment of Activity Relating to Felon Disenfranchisement Laws*. (January 2002) Washington, D.C.: The Sentencing Project.

²³ Much of this section was derived from Chesney-Lind, Meda. “Imprisoning Women: The Unintended Victims of Mass Incarceration.” In *Invisible Punishment*, edited by Mark Mauer and Meda Chesney-Lind. The New Press. 2002. Greene, Judith and Roche, Timothy. *Cutting Correctly in Maryland*. Washington, DC: The Justice Policy Institute.

²⁴ Beck, Allen and Harrison, Paige (2002). *Prisoners in 2001*. Washington, D.C.: Office of Justice Programs, Bureau of Justice Statistics.

²⁵ Mumola, Christopher (2000). *Incarcerated Children and their Parents*. Washington, DC: Bureau of Justice Statistics.

²⁶ LaLonde, Robert J. and Susan George (2002). *Characteristics of Women Entering and Exiting State Prison in Illinois*. Unpublished paper. Chicago, IL: University of Chicago Center for Human Potential and Public Policy. 2001.

²⁷ Data for Hispanics is incomplete due lack of reporting by government sources. As of October, 2002, the following amendments to the bans in these states were known to have been made: In Arkansas, the ban is limited to drug trafficking; In Tennessee, the ban does not apply if you are receiving, or on a waiting list to receive drug treatment; In Florida, the ban only applies to drug sales, and even if you are convicted, there is a process available to remain eligible for benefits. For more information, see, Allard, Patricia. (2002) *Life Sentences: Denying Welfare Benefits to Women Convicted of Drug Offenses*. Washington, D.C.: The Sentencing Project.

²⁸ Spelling, William (2000). “The Limited Importance of Prison Expansion.” In *The American Crime Drop*, ed. Blumstein, Alfred and Wallman, Joel. Boston: Cambridge University Press, 2000.

²⁹ Rosenfeld, Richard (2000). “Patterns in Adult Homicide: 1980-1995.” In *The American Crime Drop*, ed. Blumstein, Alfred and Wallman, Joel. Boston: Cambridge University Press, 2000.

³⁰ Schiraldi, Vincent, Holman, Barry and Beatty, Philip (2000). *Poor Prescription: The Costs of Imprisoning Drug Offenders in the United States*. Washington, D.C.: The Justice Policy Institute. 2000

³¹ Cose, Ellis. “The Prison Paradox.” *Newsweek*. November 17, 2000.